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NEWS RELEASE

Top Ten Dangerous Doctors Are Poster Children for Patient Safety Reform

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Santa Monica, CA – Ten doctors that the California Medical Board failed to take off the streets before repeated acts of negligence and patient endangerment harmed or killed their patients make the case for reforming California's patient safety laws, said Consumer Watchdog today.

Consumer Watchdog released a "Top Ten Dangerous Doctors" list of physicians whose negligence injured or even killed their patients.



"These ten dangerous doctors are some of the most egregious overprescribers, repeat offenders, and drug and alcohol users in California. Their stories show the urgent need for action by California lawmakers to replace a Medical Board that has allowed bad doctors to continue to practice, and to raise the outdated cap on patients' ability to hold negligent doctors accountable in court," said Carmen Balber, executive director with Consumer Watchdog.

Last month, Consumer Watchdog joined the 38IsTooLate.org (<http://38IsTooLate.org>) coalition to announce a patient safety ballot measure that will raise the cap on damages in medical negligence lawsuits and require physicians to check a prescription drug database before prescribing narcotics. The coalition, including Bob Pack who lost his two children to a drug addict who was overprescribed narcotics, will place the measure on the ballot if the legislature fails to enact patient safety reform legislation this year.

The "Top Ten Dangerous Doctors" who make the case for patient safety reform include:

- **Dr. Van Vu and Dr. Carlos Estiandan**, identified as over-prescribers in a Los Angeles Times investigation and who together had at least 25 patients die from prescription drug overdoses. Neither has lost their medical license.
- **Dr. Aria Omar Sabit and Dr. Israel Chambi**, neurosurgeons who together have had at least 55 medical malpractice lawsuits filed against them. Chambi continues to practice despite 10 malpractice settlements and having lost his post at two medical centers. No action was taken against Sabit after he moved his practice out of state.
- **Dr. Craig Alan Bittner, Dr. Efrain Gonzalez (and his wife Dr. Yessennia Candelaria)**, all physicians who practiced cosmetic surgery with no formal training. The three had their licenses suspended or revoked by the Medical Board only after arrests had taken place and at least 21 of their patients were severely disfigured.
- **Dr. Brian West and Dr. Daryl Westerbach** were each arrested twice for driving under the influence of alcohol or prescription drugs. West did not lose his license until nine years after the first complaint against him and being arrested for drunk driving on the way to treat a patient. Westerbach, who is accused of treating patients while under the influence, lost his license to prescribe but continues to practice.
- **Dr. Andrew Rutland** had his license revoked a decade ago after the deaths of two infants and 15 malpractice claims, but was reinstated five years later. Rutland lost his license again in 2011 after being found responsible for another patient death.
- **Dr. Shane Sheibani**, a plastic surgeon who left dozens of patients disfigured, had his license suspended in 2009 but continued to practice and harm patients for three more years before his license was finally revoked.

Reforms being considered in "The Troy and Alana Pack Patient Safety Act" include:

- Raising or repealing the cap on damages in medical malpractice cases.
- Mandatory drug and alcohol testing for doctors.
- Full funding of the CURES database and mandatory use by physicians before prescribing narcotics.
- Medical Board reform including a public member majority, increased transparency of complaints and transferring investigative powers to the Department of Justice.

Background on the doctors' history was obtained from the Medical Board of California and multiple news outlets including: the Los Angeles Times, Ventura County Star, OC Weekly, Sacramento Business Journal, Orange County Register, Fox 11 – KTTV, KABC – 7, CBS 2/KCAL 9, News 10 ABC and CBS Sacramento.

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Top Ten Dangerous Doctors



Dr. Aria Omar Sabit



Dr. Van Vu



Dr. Shane Sheibani



Dr. Craig Alan Bittner



Dr. Efrain Gonzalez



Dr. Israel Chambi



Dr. Brian West



Dr. Carlos Estiandan



Dr. Daryl Westerback



Dr. Andrew Rutland

Dr. Aria Omar Sabit

Neurosurgeon. Twenty lawsuits were filed against Sabit stemming from the 17 months he practiced in Ventura County, alleging misplaced screws in spinal fusions, post-op infections and botched brain surgery. Victims say Sabit made so many mistakes in such a short period of time that Community Memorial Hospital in Ventura and Ventura County Neurosurgical Associates Medical Group should have intervened long before the medical group fired him in December 2010. Attorneys for those patients have dubbed Sabit "The Butcher." Community Memorial officials said they asked the Medical Board of California to investigate. In February 2012 Medical Board representatives would not comment on the possibility of an investigation involving Sabit, but told a reporter no action had been taken against him since he was licensed to practice in California in 2009. Sabit is now practicing in Michigan.

Dr. Van Vu

Pain management specialist, California Pain Center of Fountain Valley and Huntington Beach. Seventeen of Vu's patients died of overdoses connected to medicine he prescribed -- the most deaths connected to any of the 71 Southern California doctors identified by the Los Angeles Times whose patients had suffered 3 or more prescription drug overdose deaths. The Medical Board began an investigation only after the article exposed Vu. There are currently no restrictions on his practice.

Dr. Shane Sheibani

Plastic surgeon. Sheibani drew dozens of complaints and lawsuits from patients who were left disfigured, with open wounds and in pain. He was placed on probation by the Medical Board in 2009, but continued to practice and more patients were harmed. His license was finally suspended in August 2012. He now calls himself a "psycho-spiritual coach," yet told an undercover news reporter he could still perform surgery.

Dr. Craig Alan Bittner

Was a Beverly Hills radiologist who performed liposuction. He allowed his assistant, who was also his girlfriend, to perform liposuction although she was not a doctor and had no formal training in the procedure. Patients began complaining as early as 2008, and at least nine women were left disfigured and in pain. Bittner did not surrender his license until 2011. In criminal prosecution, Bittner was allowed to plead guilty to just one misdemeanor count. His five-year sentence was reduced to two. He has reportedly changed his name and is now attending law school.

Dr. Efrain Gonzalez

A gynecologist performing cosmetic surgery, and his wife, Dr. Yessennia Candelaria, a pediatrician. Multiple complaints to the California Medical Board ultimately uncovered at least 15 patients who alleged their failed cosmetic surgeries by Gonzalez left them deformed and, in at least one case, with paralysis. Only after more than 18 months of investigation and an arrest -- in which Gonzalez was charged with 31 felony counts -- was his license suspended in March 2013. Candelaria's license was suspended in May 2013, after she was charged with 15 felony counts and a DEA warrant affidavit alleging she had a drug habit. In one case, she allegedly administered anesthesia to a patient "...while simultaneously administering the drug to herself via an additional intravenous line. According to a medical assistant assisting in the procedure, Dr. Candelaria lost consciousness in the operating room."

Dr. Israel Chambi

An Orange County neurosurgeon. Western Medical Center in Santa Ana, removed Chambi as head of neurosurgery in 2003 after it was reported there were more than 35 malpractice lawsuits against him. The department he chaired generated over \$38 million a year for Western Medical Center. Patients and families alleged that they or their loved ones were severely disfigured, suffered devastating brain or nerve damage, or in one case, narrowly evaded invasive brain surgery by Chambi when other doctors said none was necessary. Chambi had previously lost his post as a medical professor at UCI Medical Center after accusations of unnecessary surgery and incompetence were raised by other UCI doctors. Of the 35 malpractice suits, 10 won settlements totaling \$3 million. The Medical Board opened three investigations but no action was taken. Dr Chambi today runs his own brain, spine and nerve practice.

Dr. Brian West

Orange County plastic surgeon. Complaints against West began in 2000, ultimately filed by at least six patients who said he left them severely deformed. None of them knew that West had a substance abuse problem, or that he had entered the Medical Board's secret addiction monitoring program. In 2005, he was placed on five years probation after two convictions of driving under the influence of alcohol, as well as "multiple acts of dishonesty" while a participant in the addiction monitoring program. Documents say he directed an employee to falsify Alcoholics Anonymous sign-in logs to make it appear he had attended meetings. In 2009 he was found guilty of disfiguring a former breast cancer patient after performing a surgery she had not consented to and lying to an investigator about being on his way to the hospital when he got into a drunken driving accident. West's case helped spur the closure of the Medical Board's failed drug and alcohol diversion program, which allowed doctors with substance abuse problems to hide that information from their patients. The Medical Board finally revoked his license in May 2009.

Operated three pain clinics in Los Angeles. According to court records, Estiandan prescribed powerful painkillers to addicts who had no medical need for them, conducted sham examinations and appeared to be a key supplier for drug dealers. He wrote more prescriptions than the entire staffs of some hospitals and took in more than \$1 million a year. Despite investigations by the US Drug Enforcement Administration and LA County Sheriff's department, the Medical Board did not stop him from prescribing until four years after opening its own investigation. Eight of his patients died of overdoses in the period while the investigations dragged on.

Dr. Daryl Westerbäck

A Thousand Oaks psychiatrist. Dr. Westerbäck was arrested twice this year for driving under the influence of prescription drugs, and sheriffs now accuse him of overprescribing to patients. He is connected with at least one overdose-related death, and is suspected of treating patients while under the influence of opiates. No action had been taken against Dr. Westerbäck before the criminal investigation began; his license to prescribe has now been suspended, however his medical license remains current.

Dr. Andrew Rutland

An obstetrician-gynecologist in Anaheim. Dr. Rutland had his license revoked for negligence in 2002 after the death of an infant in childbirth, the death of a second infant, and numerous other allegations that led to 15 civil lawsuits. The Medical Board reinstated Rutland's license in 2007. Rutland was forced to surrender his license again in 2011 after an investigation finding him responsible for the death of another patient, this time a 30-year-old who he gave the wrong dose of anesthesia.

Sources: Los Angeles Times, Ventura County Star, OC Weekly, Sacramento Business Journal, Orange County Register, Fox 11 – KTTV, KABC – 7, CBS 2/KCAL 9, News 10 ABC, CBS Sacramento and Medical Board of California

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